Appl. No. 10/829,598 Amdt. Dated November 4, 2008 Reply to Office Action of June 4, 2008

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/829,598 Confirmation No.: 6855

Applicant : Graetz et al. Filed : April 22, 2004

TC/A.U. : 1795

Examiner : Hodge, Robert W.

For : High-Capacity Nanostructured Germanium-Containing Materials

and Lithium Alloys Thereof

Docket No.: 27-06 Customer No.: 23713

CERTIFICATE OF EFS-WEB FILING

I hereby certify that this correspondence is being filed using the USPTO EFS-WEB system.

November 4, 2008

/Tamala R. Jonas/ Tamala R. Jonas

Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Sir:

This amendment is being concurrently filed with a Request for Continued Examination. In response to the final Office Action mailed June 4, 2008, please amend the application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

A **Declaration Under 37 CFR 1.132** (2 pages) is attached following page 16 of this amendment.

Replacement Drawings (2 pages) are being concurrently submitted with this amendment.